

### **REMARKS**

By this amendment, Applicant cancels claim 181. Claims 171, 173, 191 and 195 stand amended. Claims 171-180, 182-195 remain pending in the application. The Applicant has carefully and thoughtfully considered the Office Action and the comments therein. For the reasons given below, it is submitted that this application is in condition for allowance.

#### **Interview**

Applicants thank the Examiner for the telephone interview on September 1, 2009. An Interview Summary is being prepared by the Examiner. Because the Examiner did not indicate that it was unnecessary for Applicants to provide a separate record of the substance of the interview, Applicants now provide such a statement.

The Examiner and Applicants' representative discussed the status of claim 181 and the examiner confirmed that the claim language was allowable and thus objected to based on its status as an dependent claim. Examiner indicated that he further reviewed the application to confirm this and did a further search to confirm the allowability of the claim. Applicants' have noted claim 181 as being objected to but otherwise allowable and have amended the claims based on this.

#### **Objected to dependent Allowable claim**

In the Action on the summary page, the Examiner indicates that claim 181 is objected to and no grounds for rejection are provided. As noted above, in a further telephonice interview, Applicant has confirmed that the indication on the cover sheet provides for an objection to claim 181 and that this claim would be allowed if rewritten in independent form. Applicant thanks the Examiner for the indication of allowable subject matter. Because these claims are dependent from an allowable claim as discussed above, Applicants haver placed this claim in independent form via this amendment and incorporated the limitations of claim 181 in both of the pending independent claims.

#### **112 - 2nd paragraph**

In the Action on page 2, claims 171-194 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. It is respectfully submitted that amended claims 171-194 are not indefinite. In response to the Examiner's discussion, claims 171-194 have been amended to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, claim 171 now positively recites a

vehicle, claim 173 now properly recites a "power storage device", and the dependency of claim 191 has been corrected.

Therefore, because claims 171-194 are not indefinite, Applicant respectfully requests that the rejections of claims 171-194 be rescinded and that these claims be allowed.

**102 and 103 overcome by amending claims with allowable subject matter**

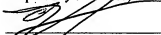
In the Action on pages 2-3, claims 171, 173, 174, 175, 176-180, 182-187, 188-192, and 195 are rejected as being anticipated by or unpatentable in view of U.S. Patent No. 4,233,858 to Rowlett. Similarly, on page 5, claim 172 is rejected as being unpatentable over Rowlett in view of U.S. Patent No. 3,493,066 to Dooley and on page, 7, claims 193 and 194 are unpatentable over Rowlett in view of U.S. Patent No. 3,874,472 to Deane. As explained above, independent claims 1, 22, and 31 have been amended to include subject matter indicated allowable by the Examiner. Hence, this prior rejection is rendered moot.

This Amendment is being submitted within the second month following the end of the response period set by the Action and is accompanied by a second month extension of time fee of \$245.00. If a greater or lesser fee is required, please charge or credit Deposit Account Number 50-3461 accordingly and notify the undersigned.

THEREFORE, because all objections and rejections have been overcome, it is submitted that claims 171-180 and 182-195 are allowable, and such allowance is requested. If a telephone interview would further such allowance, the Examiner is invited to telephone the undersigned.

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Respectfully submitted,



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